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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADARECEIVED  
AND FILED

In Re

) Case No. 20-12821-MKN

2020 JUL 30 PM 12 38

PETERSEN-DEAN, INC., etc,

) Chapter 11

U.S. BANKRUPTCY COURT  
MARY A. SCHOTT, CLERK

Debtor.

) Honorable Mike K. Nakagawa

)

NOTICE OF PERFECTION OF MECHANICS LIEN PURSUANT TO  
11 U.S.C. § 546(b)(2)(A) AND CLAIM OF SECURED INTEREST IN REAL PROPERTY

**NOTICE IS HEREBY GIVEN THAT** claimant ELITE ROOFING SUPPLY – NC, LLC dba ELITE ROOFING SUPPLY (“ELITE”) provided roofing and related construction materials to the Debtor which were installed on two properties.

The first property is located at 2955 White Sulphur Springs Rd, Saint Helena, California and is believed to be legally described as Napa County Assessor’s Parcel number 027-020-076-000. This property will hereafter be described as the “Saint Helena property”. The second property is located at 900 Redwood Hwy, Mill Valley, California and is believed to be legally described as Marin County Assessor’s Parcel numbers 043-031-09 and 043-031-07. This property will hereafter be collectively described as the “Mill Valley Property”. The exact legal descriptions, by either lot and tract or meets and bounds, will be supplied according to proof.

Claimant ELITE is due \$24,472.24, plus interest, for roofing and related construction materials installed at the Saint Helena Property for the period of February 18, 2020 to March 4, 2020. Claimant ELITE is due \$51,163.28, plus interest, for roofing and related construction materials installed at the Mill Valley Property for the period of March 4, 2020 to March 31, 2020. The two properties are cumulatively referred to herein as the “Subject Properties”.

ELITE is of the belief that the Debtor claims some legal, equitable, lien, or other interest in the Subject Properties.

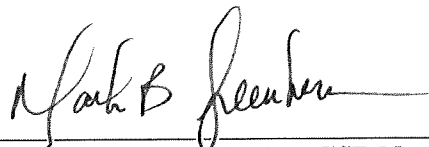
ELITE is of the class of persons entitled to record a mechanic's lien against the Subject Properties pursuant to California Civil Code Sections beginning with Title XV, Chapter 2 commencing with §3109 and through §3154 inclusive, including but not limited to §§ 3110 and 3144, and is entitled to record such liens in the cumulative total amount of \$75,635.52. As a claimant in the class of persons entitled to record mechanic's liens, Claimant ELITE contends that by this notice, it has perfected its position as a secured creditor as against the Debtor herein to the extent that the Debtor herein has any interest in the respective Subject Properties. The recordation of the mechanic's liens as to the Subject Properties entitle ELITE to treatment as a secured creditor with respect to its claim.

The claims referenced herein are against any and all interests the Debtor has, or may have, in the respective Subject Properties.

Claimant ELITE hereby gives notice under 11 U.S.C. §362, 11 U.S.C. § 546(b) and under *In re Baldwin Builders v. Gould*, 232 B.R. 406 (B.A.P. 9th Cir. Cal. 1999), that ELITE claims a secured interest in the real property located at 2955 White Sulphur Springs Rd, Saint Helena, California, recorded with the Napa County Recorder's Office as parcel number 027-020-076-000, and also claims a secured interest in the real property located at 900 Redwood Hwy, Mill Valley, California and recorded with the Marin County Recorder's office as parcel numbers 043-031-09 and 043-031-07.

Dated this 24<sup>th</sup> day of July, 2020

By: \_\_\_\_\_



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PROOF OF SERVICE

(Code Civ. Proc. §1013a(3), 2015.5 C.C.P.)

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action; my business address is: 160 Newport Center Drive, Suite 110, Newport Beach, California.

On July 27, 2020, I served the foregoing document described as **NOTICE OF PERFECTION** on the interested parties in this action as follows:

☒ [X] by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

☒ [X] BY FIRST CLASS MAIL: I deposited such envelope in the mail at La Quinta, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at La Quinta, California in the ordinary course of business; and there is delivery service by United States mail at the place so addressed. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. Executed on July 27, 2020 at La Quinta, California.

☐ [ ] BY PERSONAL SERVICE: I delivered such envelope by hand to counsel listed on the attached personal service list. Executed on July 27, 2020 at Newport Beach, California.

☐ [ ] BY FACSIMILE TRANSMISSION: I caused the above document to be sent by Facsimile to number: . The telephone number on the facsimile machine I used is (949) 760-1308. The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2009, I caused the machine to print a transmission record of the transmission, a copy of which is attached to this declaration.

☐ [ ] (Overnight Express): I caused such envelope(s) to be delivered by overnight courier, with next day service.

☒ [X] I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 27, 2020 at La Quinta, California.



E. Parker

SERVICE LIST

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